

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERIC KEITH RODGERS,

Plaintiff,

Case No. 23-cv-13211

Hon. Matthew F. Leitman

v.

REVIERT, *et al.*,

Defendants.

**ORDER TERMINATING WITHOUT PREJUDICE MOTION TO
DISMISS (ECF No. 46) AND MOTION TO SEAL (ECF No. 45) AS MOOT**

Plaintiff Eric Keith Rodgers is a state inmate in the custody of the Michigan Department of Corrections (the “MDOC”). Rodgers filed this civil rights action against four employees and officials employed by the MDOC. (*See* Compl., ECF No. 1.) Defendants filed a Motion to Dismiss (ECF No. 46) and a Motion to Seal Exhibits A and B to Defendants’ Motion to Dismiss (ECF No. 45).

On June 2, 2025, the Court entered an order granting Rodgers leave to file a Second Amended Complaint. (*See* Order, ECF No. 48.) In that order, the Court explained that if Rodgers provided notice that he would be filing a Second Amended Complaint, the Court would terminate without prejudice Defendants’ pending motion to dismiss and motion to seal exhibits as moot. (*See id.*) Rodgers filed that notice and has since filed a Second Amended Complaint. (*See* Notice, ECF No. 49;

Second Am. Compl., ECF No. 50.) Accordingly, the motion to dismiss and motion to seal exhibits are **TERMINATED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: July 7, 2025

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on July 7, 2025, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126